

SRI v. ISS and Symantec

Exhibit 14 to the Proposed Pre-Trial Order

SRI'S STATEMENT OF INTENDED PROOFS
PURSUANT TO LR 16-4(d)(8)

A. INFRINGEMENT BY ISS

1. SRI intends to prove that ISS infringes either literally or under the doctrine of equivalents one or more of claims 1, 2, 4, 6, 12, 13, 15, 17 of the '203 patent, claims 1, 2, 4, 13, 14, 16 of the '615 patent, and claims 1, 4, 5, 11, 12, 13, 24 of the '338 patent by making, using, selling, offering to sell and having made, used, sold or offered for sale in the United States and abroad: (1) intrusion detection, prevention, and security management products under the RealSecure, Proventia, and SiteProtector names and (2) managed security services, threat analysis services, and security consulting services.

2. SRI intends to prove that ISS induces others to infringe one or more of the claims asserted against ISS.

B. INFRINGEMENT BY SYMANTEC

3. SRI intends to prove that Symantec infringes either literally or under the doctrine of equivalents one or more of claims 1, 2, 4, 6, 12, 13, 15, 17 of the '203 patent, claims 1, 2, 4, 7, 13, 14, 16 of the '615 patent, and claims 1-6, 14-17 of the '212 patent by making, using, selling, offering to sell and having made, used, sold or offered for sale in the United States and abroad: (1) intrusion detection, prevention, and security management products under the Symantec Gateway Security, Symantec Network Security, ManHunt, and iForce names and (2) managed security services, early warning services, and security consulting services.

4. SRI intends to prove that Symantec induces others to infringe one or more of the claims asserted against Symantec.

C. VALIDITY AND ENFORCEABILITY

5. To the extent necessary, SRI intends to introduce evidence to rebut each of defendants' affirmative defenses and counterclaims as to the validity of the asserted claims.

6. To the extent defendants are able to present a *prima facie* case of obviousness as to any asserted claim, SRI intends to introduce evidence of objective indicia of non-obviousness.

7. To the extent necessary, SRI intends to introduce evidence to rebut defendants' allegations that any of the patents-in-suit is unenforceable due to inequitable conduct.